

VZCZCXRO6265  
PP RUEHVC  
DE RUEHUL #1035/01 0882258  
ZNR UUUUU ZZH  
P 292258Z MAR 06  
FM AMEMBASSY SEOUL  
TO RUEHC/SECSTATE WASHDC PRIORITY 6987  
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 0401  
RUEHME/AMEMBASSY MEXICO CITY PRIORITY 0292  
RUEHOT/AMEMBASSY OTTAWA PRIORITY 2117  
RUEHKO/AMEMBASSY TOKYO PRIORITY 0485  
RUEHVC/AMCONSUL VANCOUVER PRIORITY 0171  
RUEAHL/HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY  
RHMFISS/COMUSKOREA J2 SEOUL KOR PRIORITY  
RHMFISS/COMUSKOREA J5 SEOUL KOR PRIORITY

UNCLAS SECTION 01 OF 03 SEOUL 001035

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SENSITIVE  
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E.O. 12958: N/A

TAGS: [PGOV](#) [CVIS](#) [PHUM](#) [KS](#) [KCRIM](#) [SMIG](#) [PREL](#)

SUBJECT: U.S., CANADA, ROK ANTI-TIP GROUP RECONVENES

REF: 04 SEOUL 6235

11. (SBU) SUMMARY: After a 16-month hiatus, the ROK-U.S.-Canada Trilateral Working Group on anti-trafficking issues (TWG) met on March 22 to discuss the trafficking of women from Korea to the U.S. and elsewhere. While the group recognized the cooperation among the Embassy and local police to arrest visa brokers, the U.S. and Canada also noted that the ROKG has not been as responsive to information received on deported traffickers and trafficking victims. The ROKG said it would consider taking additional measures to combat outward trafficking and agreed to consider the establishment of a separate division within the Ministry of Justice to combat trafficking. Korea's desire to join the Visa Waiver Program (VWP), arrests of Korean prostitutes in the U.S., and personnel changes in the MOJ appear to have energized the ROKG's interest in combating human trafficking to the U.S.  
END SUMMARY.

BACKGROUND

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12. (SBU) At Embassy Seoul's suggestion, the MOJ convened the first TWG in November 2004 (Ref A). The purpose was to establish a working group of U.S., ROK, and Canadian law enforcement officials to focus on the problem of the trans-Canada trafficking of Korean women to the United States. The group agreed to meet quarterly to share information. However, the MOJ failed to call another meeting. After repeated requests to reconvene, including a personal request by the Ambassador to Justice Minister Chun Jung-bae on January 25 (Ref B), the MOJ finally convened another TWG on March 22.

GILDED CAGE, TIP, AND VWP EFFECT

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13. (SBU) Hwang Chul-kyu, Director of the International Criminal Affairs Division of the Ministry of Justice (MOJ), and his deputy, Prosecutor Jung Jong-wook, began the TWG meeting with reference to the July 2005 U.S. law enforcement operation known as "Gilded Cage," which, they said, jolted the ROKG into awareness of the trafficking problem. (NOTE: During the Gilded Cage Operation, U.S. law enforcement officials seized USD 2 million, arrested nearly 100 Korean nationals, and repatriated some of the hundreds of Korean women who were victims of the traffickers. END NOTE.). The MOJ officials, who were aware that the State Department was currently drafting the 2006 Trafficking in Persons (TIP) Report, expressed concern that the Gilded Cage operation could have a negative impact on the 2006 report. However,

Hwang and Jung expressed hope that the working group meeting would begin a serious dialogue to maintain Korea's Tier 1 status. The MOJ officials referred to the ROK's interest in qualifying for the VWP as another impetus to host the working group meeting. Jung explained that the ROKG recognized the need for Korean and U.S. law enforcement officials to cooperate more closely if Korea hoped to qualify for the VWP.

14. (SBU) Hong Jee-pio, MOFAT Deputy Director of Consular Services added that MOFAT had taken the lead in an interagency campaign to improve the image of Korea, which involved combating human trafficking and prostitution abroad. The new media and public relations effort is called the "Ugly Korea Prevention Campaign." Hong emphasized that VWP was a top priority, and like his MOJ colleagues, also recognized the VWP's legal requirement for more law enforcement collaboration.

#### NEED TO MEET MORE OFTEN -----

15. (SBU) Poloff expressed gratitude for MOJ's action in reconvening the working group, but also concern over the 16-month gap in meetings. During the 2004 inaugural session, participants had agreed to quarterly meetings (Ref A). Jung clarified that the current working group meeting was called to prepare for a senior level meeting to be scheduled for April. At that meeting, Jung said, they would discuss the possibility of holding regular trilateral meetings.

#### CANADIAN CONCERNS -----

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16. (SBU) Canada Immigration Officer John Acheson described Mexico as another transit point for traffickers. Acheson commented that he had overheard Koreans who were deported from Canada remark, "Okay, I'll try Mexico instead." Although 300 Koreans were denied admission to or deported from Canada last year, Acheson made clear that not all these cases were directly related to the sex trade. Additionally, Acheson complained about the poor response from ROK law enforcement. Although Canadian officials regularly advised the ROKG on deportations, little action was taken in Korea. Acheson said he knew of only one case where a deportee was met at the airport by Korean police on the basis of information supplied by Canadian authorities.

#### PUBLIC ENEMY NUMBER ONE: VISA BROKERS -----

17. (SBU) Kim Dae-hyun, Prosecutor in the Foreign Affairs Division of the Seoul Central District Prosecutor's Office, emphasized that the U.S. Embassy remained the main route of access for traffickers and that every effort would be put forward to crack down on brokers who supplied fraudulent documents to visa applicants. Effective elimination of the trafficking problem, Kim insisted, was contingent on identifying and punishing the visa brokers. Jung added that in February 2006 the ROKG asked for more investigation and prosecution of visa brokers, and was currently reviewing whether the visa brokers should be charged for fraud or under a more severe statute of the Korean penal code. Bae Young-won, Researcher at Korea's Supreme Public Prosecutor's Office, confirmed that the Korean National Police (KNP) was carrying out the crackdown order against visa brokers around the U.S. Embassy.

18. (SBU) Conoff highlighted the excellent cooperation the Embassy had received in investigating visa brokers and praised Korean police agencies in their efforts to pursue them. The Embassy's Fraud Prevention Unit (FPU), Conoff explained, regularly shared with the KNP information on fraudulent visa applicants by providing descriptions, addresses, and contact information to the police.

¶9. (SBU) Both Yoon Jae-pil, Prosecutor in the Drug Related Crime Division of the Seoul Central District Prosecutor's Office, and Kim urged the need for more detailed information on deportees. When traffickers or their victims returned to their homes in Korea, they often changed their contact numbers and with Korea's strict privacy laws, this effectively ended the investigation. Cho Woo-suk, Section Chief of the Immigration Division in the MOJ, further explained that the ROK had no legal authority to investigate groups that had been deported simply due to suspicion, or were arrested under foreign laws and therefore not subject to Korean legal jurisdiction. A list of Korean deportee names, Cho added, was not as useful as more detailed information about the individuals provided in advance. For example, Kim explained, for Korean law enforcement to pursue an investigation they would need ample proof that the individuals arrested in the U.S. used fraudulently obtained Korean documents. Kim added that the sex trade was a systemic problem in the U.S., and his offices would like to obtain more information on U.S. sex rings. Jung stressed the urgent need for relevant authorities to share information and suggested establishing a system of collaboration and communication among key officers.

¶10. (SBU) Hong reminded U.S. and Canadian working group participants to encourage their respective law enforcement officials to inform the ROK Embassy and its consulates promptly when ROK citizens were involved directly or indirectly with human trafficking and the sex trade. ROK consuls, Hong explained, could then interview them before they are deported.

SUGGESTION TO ESTABLISH A NEW ROK ANTI-TRAFFICKING DIVISION

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¶11. (SBU) Poloff suggested creating a specific division within the Supreme Prosecutor's Office to liaise with and share information. Poloff pointed out that Jung's plan for a systematic approach and contact points was the same solution

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agreed upon during the November 2004 meeting. However, despite both U.S. and Canadian officials having sent the ROK photos, large files, and other information since that time, there was little evidence of follow-up from the ROK authorities. Poloff suggested that a better approach would be to create a new division that would be responsible for communicating with other nations' law enforcement officials and pursuing joint investigations on international trafficking cases. Creating a new division was the same approach, Poloff remarked, that had succeeded for the ROKG in efforts to protect intellectual property rights.

¶12. (SBU) Jung admitted that there was no one section of the ROKG dedicated to combating human trafficking, and that the effort was divided among several offices. The SPO's Bae expressed a willingness to review Poloff's suggestion to establish a new office. Jung stated that the ROKG already has a plan to set up a special investigative task force dedicated to the enforcement of anti-trafficking, but would also take the idea under consideration.

PARTICIPANTS

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¶13. (U) Participants of the TWG's meeting in Seoul included the following Korean representatives: Director Hwang Chul-kyu, International Criminal Affairs Division, MOJ; Prosecutor Jung Jong-wook, International Criminal Affairs Division, MOJ; Section Chief Cho Woo-suk, Immigration and Immigration Policy Division, MOJ; Hong Jee-pio, MOFAT; Bae Young-won, Supreme Public Prosecutor's Office; Prosecutor

Yoon Jae-pil, Drug Related Crime Division, Seoul Central District Prosecutor's Office (SCDPO); Prosecutor Kim Dae-hyun, Foreign Affairs Division, (SCDPO); Officer Bae Sung-in, Criminal Affairs Division, Korean National Police. John Acheson, Immigration Office, represented the Canadian Embassy. Embassy participants included Poloff, Conoff, FBI Attache Dennis Kim, DHS ICE Attache Kyung Yul Steven Kim.

COMMENT

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¶14. (SBU) After 16 months, the meeting and subsequent discussion among the three countries' representatives was a positive development. The Ambassador's conversation with Minister Chun Jung-bae (Ref B), Operation Gilded Cage, and the prospects of inclusion in the Visa Waiver Program clearly played a part in the reconvening of the TWG. In addition, Prosecutors Hong and Jung both started their jobs one month ago and seem to be bringing with them a fresh seriousness of purpose. Although Embassy participants would have liked to have seen more concrete results, or at least a commitment to meet on a more regular basis, we hope to hear soon of further progress in the ROK's commitment to combat international trafficking in persons. END COMMENT.

MINTON